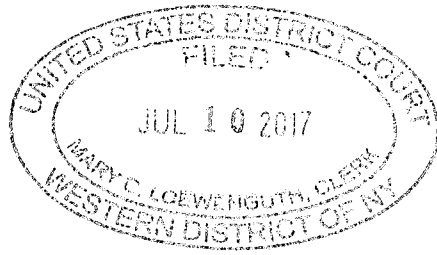


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

v.

JACK WOOD a/k/a Jake a/k/a Snake,

Defendant.

DECISION AND ORDER

1:15-CR-00142 EAW

Defendant Jack Wood (“Defendant”) is charged in seven counts of a 46-count Second Superseding Indictment that alleges various crimes, including a RICO¹ conspiracy in violation of 18 U.S.C. § 1962(d), firearm offenses in violation of 18 U.S.C. § 924(c), various narcotics offenses, crimes in violation of the Hobbs Act, 18 U.S.C. § 1951(a), and various VICAR² counts, pertaining to the operation of the Kingsmen Motorcycle Club. (Dkt. 33). Defendant is one of 16 defendants³ named in the Second Superseding Indictment. (*Id.*).

This Court initially referred all pretrial matters in the case to United States Magistrate Judge Hugh B. Scott pursuant to 28 U.S.C. §§ 636(b)(1)(A)-(B) (7/29/2015

¹ “RICO” refers to the Racketeer Influenced and Corrupt Organizations Act, codified at 18 U.S.C. §§ 1961-1968.

² “VICAR” refers to the Violent Crimes in Aid of Racketeering Activity statute, codified at 18 U.S.C. § 1959.

³ Although 16 defendants were named in the Second Superseding Indictment, four of the defendants have subsequently entered pleas of guilty.

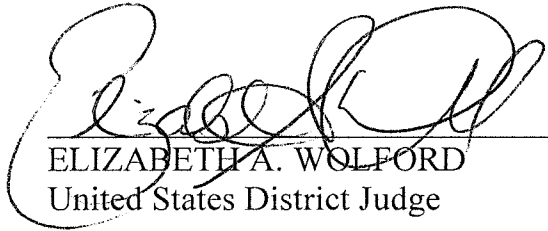
Dkt. Entry), and then upon return of the Second Superseding Indictment, the case was referred to Magistrate Judge Michael J. Roemer (Dkt. 35).

On June 13, 2017, Magistrate Judge Roemer issued a thorough Report and Recommendation recommending that this Court deny Defendant's pretrial motion (Dkt. 553) to suppress evidence seized pursuant to a search warrant executed at his home on August 26, 2015. (*See* Dkt. 628). Pursuant to Fed. R. Crim. P. 59(b)(2) and 28 U.S.C. § 636(b)(1)(C), the parties had 14 days after being served a copy of the Report and Recommendation to file objections. No objections were filed.

The Court is not required to review *de novo* those portions of a report and recommendation to which objections were not filed. Fed. R. Crim. P. 59(b)(2) ("Failure to object in accordance with this rule waives a party's right to review."); *see Molefe v. KLM Royal Dutch Airlines*, 602 F. Supp. 2d 485, 487 (S.D.N.Y. 2009) (to trigger the *de novo* review standard, objections to a report "must be specific and clearly aimed at particular findings in the magistrate judge's proposal").

Notwithstanding the lack of objections, the Court has conducted a careful review of the Report and Recommendation as well as the filings previously made in the case, and finds no reason to reject or modify the Report and Recommendation of Magistrate Judge Roemer. Therefore, the Court accepts and adopts the Report and Recommendation. (Dkt. 628). For the reasons set forth in the Report and Recommendation, this Court denies Defendant's pretrial motion (Dkt. 553) to suppress evidence seized pursuant to a search warrant executed at his home on August 26, 2015. (*See* Dkt. 628).

SO ORDERED.



ELIZABETH A. WOLFORD
United States District Judge

Dated: July 10, 2017
Buffalo, New York